federal register

MONDAY, DECEMBER 18, 1978
PART VI

OFFICE OF MANAGEMENT AND BUDGET

BUDGET DEFERRALS

[3110-01-M]

OFFICE OF MANAGEMENT AND BUDGET

BUDGET DEFERRALS

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the Impoundment Control Act of 1974, I herewith report two new deferrals totalling $663.8 million and a revision to one previously transmitted deferral increasing the amount deferred by $.2 million in budget authority. These items involve the foreign military credit sales program and programs in the Departments of Commerce and the Interior.

The details of the deferrals are contained in the attached report.

Jimmy Carter

THE WHITE HOUSE,
December 12, 1978.

[3110-01-C]

CONTENTS OF SPECIAL MESSAGE
(in thousands of dollars)

Deferral No.	Item	Budget Authority
	Funds Appropriated to the President:	
	International Security Assistance	
D79-45	Foreign military credit sales.....	651,000
	Department of Commerce:	
	National Oceanic and Atmospheric Administration	
D79-5A	Construction.....	10,032
	Department of the Interior:	
	Bureau of Land Management	
D79-46	Oregon and California grant lands.....	12,811
	Total, deferrals.....	673,843

* *

SUMMARY OF SPECIAL MESSAGES
FOR 1979
(in thousands of dollars)

	Rescissions	Deferrals
Fourth special message:		
New items.....	---	663,811
Changes to amounts previously submitted...	---	202
Effect of fourth special message.....	---	664,013
Previous special messages.....	75	2,202,509
Total amount proposed in special messages...	75	2,866,522 1/
	(in one rescission)	(in 46 deferrals)

1/ This amount represents budget authority except for $3,971,000 in two Treasury Department deferrals of outlays only (D79-25A and D79-41).

Deferral No: D79-45

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Funds Appropriated to the President	New budget authority (P.L. 95-481) $ 654,500,000
Bureau International Security Assistance	Other budgetary resources
Appropriation title & symbol	Total budgetary resources 654,500,000
Foreign Military Credit Sales, 1979 1/ 1191082	Amount to be deferred: Part of year $ 651,000,000
	Entire year
OMB identification code: 11-1082-0-1-152	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other
Type of account or fund: ☒ Annual	Type of budget authority: ☒ Appropriation
☐ Multiple-year (expiration date)	☐ Contract authority
☐ No-year	☐ Other

JUSTIFICATION

Pursuant to the Arms Export Control Act, the President is authorized to sell or finance by credit or guaranties defense articles and defense services to friendly countries to facilitate the common defense. The Foreign Assistance and Related Programs Appropriations Act, 1979 (Public Law 95-481) appropriated $654,500,000 for fiscal year 1979 to enable the President to carry out those authorities. Under section 2 of the Arms Export Control Act, the Secretary of State, under the direction of the President, is responsible for continuous supervision and general direction of sales made under the Act, including determining whether there shall be a sale to a country and the amount thereof. Executive Order 11958 of January 18, 1977, delegated certain of the President's functions under the Arms Export Control Act to the Secretaries of State and Defense. Executive Order 11958 further requires the Secretary of State to obtain the prior concurrence of the Secretaries of Defense and the Treasury, respectively, regarding standards and criteria for credit and guaranty transactions that are based upon national security and financial policies.

1/ This account was the subject of a similar deferral during FY 1978.

As in prior years, funds provided for these purposes have been deferred pending approval of specific loans to eligible countries by the Departments of State, Defense and the Treasury. Consultation among these Departments will ensure that each approved program is consistent with the foreign, national security and financial policies of the United States.

ESTIMATED EFFECT

This deferral will have no programmatic or budgetary impact and is not restrictive in nature.

OUTLAY EFFECT

There is no outlay effect of this deferral because funds will be released as loans are approved.

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344

This report updates Deferral No. D79-5 transmitted to the Congress on October 2, 1978, and printed as House Document No. 95-392.

This revision to a deferral of National Oceanic and Atmospheric Administration construction funds increases the amount previously reported as deferred from $9,830,000 to $10,031,887. This increase of $201,887 is attributable to an adjustment in unobligated balances brought forward on October 1, 1978. The adjustment was necessary because the actual amount of unobligated balances brought forward was $201,887 higher than had been originally estimated.

Deferral No: D79-5A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of Commerce	New budget authority (P.L. ____) $ ____
Bureau National Oceanic and Atmospheric Administration	Other budgetary resources 13,101,887*
Appropriation title & symbol Construction 13X1452	Total budgetary resources 13,101,887*
	Amount to be deferred: Part of year $ 10,031,487* Entire year ____
OMB identification code: 13-1452-0-1-306	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☒ Other Civil Action C-77-914M
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification: *The Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1978, provided funds for continuing the construction of the National Oceanic and Atmospheric Administration's (NOAA) Western Regional Center in Seattle, Washington. A temporary injunction was issued by the U.S. District Court for the Western District of Washington halting preliminary construction activities on the project, because of deficiencies in the accompanying Environmental Impact Statement (EIS). NOAA has since issued a supplemental EIS in response to the court judgement, and expects to ask for a lifting of the injunction in January, 1979. Funds totalling $10 million are deferred pending resolution of these environmental and legal problems.

Estimated Effect: The Court action, and the resulting deferral of funds, will temporarily delay the start of construction on this project.

Outlay Effect: This temporary delay in construction will have the effect of shifting $800,000 in outlays from FY 1979 to FY 1980.

*Revised from previous report.

Deferral No: D79-46

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency Department of the Interior	New budget authority (P.L. 95-465) $55,000,000 1/
Bureau Bureau of Land Management	Other budgetary resources 17,930,000
Appropriation title & symbol Oregon and California Grant Lands 2/ 14X5136	Total budgetary resources 72,930,000
	Amount to be deferred: Part of year $ ____ Entire year 12,811,000
OMB identification code: 14-5136-0-2-302	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other ____
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☐ Appropriation ☐ Contract authority ☒ Other Appropriated Receipts

Justification: The Interior and Related Agencies Appropriation Act of 1979 includes an indefinite no-year appropriation equivalent to 25 percent of timber sale receipts from revested Oregon and California Railroad grant lands. The appropriated receipts provide for management, development, and protection of Federal Oregon and California grant lands including the construction and maintenance of roads. Because the appropriation is based on receipts collected in the same fiscal period and the receipts are based on the timber harvested, the total amount which will be available for obligation can only be estimated. Not only may actual receipts vary from estimates, but receipts for the last two months of the fiscal period are not known in time to make programmatic adjustments to offset a possible shortfall between estimated and actual amounts. Deferral is planned to cushion fluctuating receipt levels. This deferral is taken pursuant to the Antideficiency Act (31 U.S.C. 665).

Receipts for FY 1978 were $172,579,472 with an unobligated balance of $17,930,000 carried forward in FY 1979. New budget authority available in 1979 under terms of the appropriation is estimated to equal $55,000,000. Total resources for this program equal $72,930,000. The FY 1979 obligation program is $60,119,000 resulting in a deferral of $12,811,000.

Estimated Effects: There will be no programmatic impact from this deferral in FY 1979.

Outlay Effect: There is no outlay effect resulting from this deferral.

1/ Estimated. The appropriation is for "an amount equivalent to 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands."

2/ This account was the subject of a similar deferral during FY 1978.

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